

Notice of Allowability	Application No.	Applicant(s)	
	10/626,837	IWASAKI ET AL.	
	Examiner	Art Unit	
	Kevin M. Bernatz	1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview of 4/12/06.
2. ☒ The allowed claim(s) is/are 1,2,6,7,11 and 14-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>04132006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey Karceski on April 12, 2006.

The application has been amended as follows:

- Claim 1, line 15: after "protective layer", the following phrase was inserted:
", wherein the second perpendicular magnetic recording layer contains the crystalline alloy in a larger amount than the first perpendicular magnetic recording layer";
- Claim 18, line 18: after "protective layer", the following phrase was inserted:
", wherein the second perpendicular magnetic recording layer contains the crystalline alloy in a larger amount than the first perpendicular magnetic recording layer"; and
- Claims 27 and 28 were cancelled.

Reasons for Allowance

3. The present claims are deemed allowable over the references of record and Murayama et al. (U.S. Patent No. 5,478,661), Murayama et al. (U.S. Patent No. 5,679,473) and Uwazumi et al. (U.S. Patent App. No. 2003/0064249 A1) since the

references noted above fail to disclose or render obvious a recording medium meeting the claimed structural and compositional limitations.

While the prior art of record, including both Murayama et al. references noted above, disclose that crystalline CoCrPt magnetic layers are known in the art and that these alloys can comprise both oxygen and rare-earth elements, none of the prior art noted above disclose or render obvious the use of a multi-layered recording medium wherein a first perpendicular magnetic layer comprises oxygen and a second perpendicular magnetic layer comprises a rare earth containing crystalline alloy in a larger amount than in said first perpendicular magnetic layer (i.e. the first and second perpendicular magnetic layers are not identical CoCrPt-{rare earth}-{oxygen} alloys).

The Examiner notes that Uwazumi et al. teach a similar structure to the claimed invention in that there is a first magnetic layer comprising oxygen followed by a second magnetic layer comprising a rare-earth element, however the Examiner notes that Uwazumi et al. only disclose using amorphous rare earth-transition metal alloys as the second magnetic layer, and does not anticipate nor render obvious the use of a crystalline alloy comprising a CoCrPt alloy and a rare earth element.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

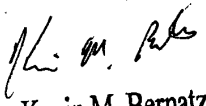
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Bernatz whose telephone number is (571) 272-1505. The examiner can normally be reached on M-F, 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KMB
April 13, 2006


Kevin M. Bernatz, PhD
Primary Examiner